



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Authorize City Manager to Execute Agreement with Property Owner for Watershed Mural at 207 West Oak Street

MEETING DATE: November 1, 2006

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Authorize the City Manager to execute an agreement with the property owner for a watershed mural at 207 West Oak Street.

BACKGROUND INFORMATION: The City of Lodi has participated in watershed protection and enhancement activities in a variety of ways. The City currently is acting as a subcontractor to the San Joaquin Resource Conservation District in a State Water Resources Control Board watershed education grant. The mural was earmarked in the grant funding and expenses are reimbursable if completed by May 2007.

Per the grant, the watershed mural is to be located in a high-traffic public site. Staff has worked with the Wall Dogs Committee in the location and composition of this mural. The goal is to have the mural be a high-quality piece of art in keeping with the other Wall Dogs murals downtown. The mural will be painted on panels and installed on the wall. The work is being done by artist Suzanne Kennedy who has created previous murals in Lodi, including the PG&E wall on Cherokee Lane and the Lodi Lake nature area murals. Ms. Kennedy will use the mural creation and its theme as part of the watershed education program involving local high school students.

The proposed design focuses on both current and historical uses of Lodi Lake. The proposed location is on the east-facing wall of the building at 207 West Oak Street. The view of this wall from Church Street is excellent.

The agreement is modeled after the other Wall Dogs agreements and provides that the City will maintain the mural for ten years.

FISCAL IMPACT: The estimated cost of the mural is \$20,000. Maintenance costs (if any) should be minimal after the completion of the mural.

FUNDING AVAILABLE: The cost is already budgeted and is reimbursable as described above. Water Fund, Watershed Grant

Ruby R. Paiste

Ruby Paiste, Financial Services Manager

Richard C. Prima, Jr.

Richard C. Prima, Jr.
Public Works Director

RCP/pmf
Attachment

APPROVED:

Blair King

Blair King, City Manager

Watershed Mural Ten-Year Agreement

Made this _____ day of _____, 2006, between the City of Lodi (City) and Scott R. and Dina M. Marcus, Trustees (Owner).

WHEREAS, the parties wish to have a mural painted on removable panels and then installed on the owner's property.

1. City will:

- A. Provide an overview of the mural project to the Property Owner and keep the Property Owner updated on the progress of the project.
- B. Be responsible for all expenses necessary to paint and install the mural and for the preparation of the surface where the mural will be installed.
- C. Be responsible for all expenses necessary to properly maintain the mural for a minimum of 10 years.
- D. Provide property damage and liability insurance to cover the installation and maintenance of the mural.
- E. Reserve the right to relocate the mural off the present Property Owner's property. In the event of a mural relocation, City will also be responsible for all expenses necessary for restoring the original surface where the mural was mounted to its pre-mural condition. This work will be coordinated by the City together with the Property Owner

2. Property Owner will:

- A. Consult with the City prior to making any changes to the mural surface prior to implementing the mural.
- B. After the mural is completed and installed, Property Owner will not make any changes to the mural or the mural surface without City's written permission.

3. This agreement is binding upon the heirs, successors and assigns of Property Owner.

Property Owner:

City:

By: _____

Blair King, City Manager

APPROVED AS TO FORM:

ATTEST:

D. Stephen Schwabauer, City Attorney

Jennifer M. Perrin, Interim City Clerk

Property Address: 207 West Oak Street (APN 043-032-08), East Wall